

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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ANTHONY WILSON,

Plaintiff,

v.

Case No. 06-CV-11815-DT

GERALD J. SMITH and THE SMITH LAW  
FIRM,

Defendants.

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**ORDER DENYING PLAINTIFF'S "MOTION FOR LEAVE  
TO APPEAR VIA TELEPHONE"**

On June 22, 2006, Plaintiff Anthony Wilson filed a "Motion For Leave to Appear Via Telephone." In his motion, Plaintiff asserts that he is "unemployed, indigent, and has an application and order to proceed without payment of cost on file with the [c]ourt." (Pl.'s Mot. Br. at ¶ 6.) Plaintiff further maintains that he "does not [have] the financial resources to make the trip to Detroit and . . . seeks leave to appear at the June 28, 2006 hearing via telephone or in the alternative, due to said financial hardship, . . . moves th[e] [c]ourt to transfer th[e] case to the Flint Division for this and all future proceedings." (*Id.* at ¶ 9.) Plaintiff, however, has not cited any authority which would allow the court to reassign this matter to the Flint Division.<sup>1</sup> Plaintiff chose to file this action in this venue and must appear in necessary court proceedings. The June 28, 2006 hearing is essential in this matter inasmuch as it will focus on the court's subject

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<sup>1</sup>The Local Rules provide in relevant part that "[i]n Ann Arbor, Detroit, Flint and Port Huron, the Clerk shall employ a random method for the assignment of civil cases (excluding social security cases) and special civil cases to Judges." See E.D. Mich. LR 83.11. Pursuant to this rule, this action was randomly assigned to this court.

matter jurisdiction. Accordingly, IT IS ORDERED that Plaintiff's "Motion for Leave to Appear Via Telephone" [Dkt. # 9] is DENIED. Plaintiff is directed to appear in person for the show cause hearing scheduled for **June 28, 2006 at 2:00p.m.**<sup>2</sup>

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: June 27, 2006

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, June 27, 2006, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522

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<sup>2</sup>The court's case manager contacted Plaintiff via telephone on June 27, 2006, and informed him that his motion was denied and that he would have to appear in Detroit on June 28, 2006.

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Orders\06-11815.WILSON.DenyingMotionForLeaveToAppearViaTelephone.wpd